

Remarks/Arguments

35 U.S.C. §112

Claims 1, 8, and 15, stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

The phrase “regardless of a comparison with a threshold” has been removed from all independent claims. Thus, it is respectfully submitted that this rejection has been satisfied and should be withdrawn.

35 U.S.C. §103

Claims 1-6, 8-13, and 15-20, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Zimmerman et al. (U.S. Patent Publication No. 2003/0093789).

It is respectfully asserted that Zimmerman fails to disclose an interface that:

“allows said user to, for each of a plurality of types of emergency events: make a binary selection as to whether a message will be presented upon receipt of an indication of an event of the specified type, make a binary selection as to whether a presentation subsystem will be placed into an active mode upon receipt of an indication of an event of the specified type, and select at least one type of alert output that is to be presented upon receipt of an indication of an event of the specified type,”

as described in currently amended claim 1.

Among the problems addressed by the present invention is the inability of a user to readily determine from an alert output whether the particular emergency event is one which may require immediate action. (page 2, lines 5-13) The use of a common alert mode for every type of emergency event as described above may be confusing and even dangerous for consumers since they may be unable to readily determine from the alert output whether

the particular emergency event is one which may require immediate action (e.g., tornado warning), or one which may be ignored (e.g., thunderstorm watch). Furthermore, the use of a common alert for every type of emergency event may tend to desensitize users towards output alerts in general since all alert outputs may appear to be the same. As a result, consumers may be more likely to ignore alert outputs and thereby expose themselves to dangerous conditions. Accordingly, there is a need for a device capable of receiving emergency alert signals which avoids the foregoing problems.

To address this problem, the present application discloses a television signal receiver having an emergency alert function. The receiver includes a tuner that is operative to tune a frequency that includes emergency alert signals that indicate a type of emergency event. The tuner also includes a processor that is operative to enable an alert output that is responsive to the emergency alert signals. The alert output is provided in accordance with a user selectable alert mode corresponding to the type of emergency event. Specifically, a user interface allows a user to individually select for each of a plurality of types of emergency events; whether a message will be presented, whether a presentation subsystem will be placed into an active mode, and at least one type of alert output that is to be presented. In some embodiments, simple binary selections (e.g., checkboxes) provide the user with simple decisions for some selections for each alert type, avoiding the need to set thresholds or provide other data.

The present claimed invention does not merely filter the alerts based on the alert type or whether an alert exceeds a threshold, but instead permits the user to set different modes of alarm and whether a subsystem will be activated when different types of alerts are received. Based on user settings, certain alerts may simply flash a message on the television screen. Other alerts may cause the system to switch to the emergency audio channel, while some other alerts may both flash an emergency message on the screen and switch to the emergency audio channel. Thus, the user is provided with finer control over the types of events that produce various types of responses.

Zimmerman teaches "systems for monitoring broadcast content and generating notification signals as a function of subscriber profiles and methods of operating the same.

According to an exemplary embodiment, a monitoring system is introduced that is capable of identifying special event content within a plurality of broadcast content streams, each of the plurality of broadcast content streams having detectable content attributes. The monitoring system is operable to (i) sense a content change within at least one of the plurality of broadcast content streams as a function of the detectable content attributes, (ii) detect the special event content broadcast within the at least one of the plurality of broadcast content streams as a function of the sensed content change, and (iii) selectively generate a notification signal as a function of the detected special event content and a subscriber profile.” (Zimmerman Abstract)

Alerts in Zimmerman are not triggered based upon individual settings provided by the user for each of a plurality of event types. Instead, Zimmerman uses the concept of alert values and thresholds to determine which types of alerts are generated.

Zimmerman describes use of a profile containing addresses, telephone numbers, email addresses, interests, warnings of interest, and preferences for contacting. Zimmerman then describes computation of a “special event score” and the use of that score in determining how an alert is to be presented. (Zimmerman, paragraph 0020). Zimmerman then explains that a “subscriber is able to specify information that may suitably be used to determine (i) a level of importance that a detected special event has to the subscriber and (ii) if the level of importance requires the detected special event be communicated to the subscriber, meaning how the subscriber is to be contacted. Importantly, monitoring system-to-subscriber communications in accordance with the present invention may be “personalized” for particular individuals/users. (Zimmerman 0077)

The invention as described by the present claims gives the user clear and easy-to-understand control of responses to events, providing a significant advantage over Zimmerman. Binary selections can be made for each event type to control whether a message is shown and whether a presentation device is activated. Zimmerman’s method of using profile data, however, does not provide the user with such a simple, straightforward, and easy-to-understand method of prescribing the desired response to each event type. Therefore, Zimmerman fails to disclose an interface that: “allows said user to, for each of a

plurality of types of emergency events: make a binary selection as to whether a message will be presented upon receipt of an indication of an event of the specified type, make a binary selection as to whether a presentation subsystem will be placed into an active mode upon receipt of an indication of an event of the specified type, and select at least one type of alert output that is to be presented upon receipt of an indication of an event of the specified type,” as described in claim 1.

In view of the above remarks, it is respectfully submitted that there is no 35 USC 112 enabling disclosure provided by Zimmerman that makes the present invention as claimed in currently amended claim 1 unpatentable. It is further submitted that currently amended independent claims 8 and 15 are allowable for at least the same reasons that claim 1 is allowable. Since dependent claims 2-7, 9-14, and 16-21, are dependent from allowable independent claims 8 and 15 respectfully, it is submitted that they too are allowable for at least the same reasons that their respective independent claims are allowable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Claims 7, 14, and 21, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Zimmerman et al. (U.S. Patent Publication No. 2003/0093789) in view of Letzt et al. (U.S. Patent No. 5,612,869).

Since dependent claims 7, 14, and 21 are dependent from claims 1, 8, and 15 respectively, which should be allowable for the reasons described above, it is respectfully submitted that they too should be allowable for at least the same reasons that their respective independent claims are allowable.

Furthermore, Letzt teaches “an electronic health care compliance assistance system includes a user device and a host station used by a health care provider. The user device generates voice messages to remind a user when and how to take or refill prescribed medications, to attend to other health matters, and to keep doctors' appointments. Compressed digital speech is used to generate clear and natural sounding voice messages. A

health care provider uses the host station to compose messages and to store a database of speech messages and related data. Data are transferred from the host station to the user device to generate a regimen that is customized for the user. A queuing system is provided for messages relating to medications having common dosing times. A parameter is defined to permit adaptive rescheduling of messages when a user does not respond. The user device provides adaptive and interactive audible and visual prompts to alert the user when one or more messages are ready to be played.” (Letzt Abstract)

Thus, Letzt, like Zimmerman, fails to disclose an interface that: “allows said user to, for each of a plurality of types of emergency events: make a binary selection as to whether a message will be presented upon receipt of an indication of an event of the specified type, make a binary selection as to whether a presentation subsystem will be placed into an active mode upon receipt of an indication of an event of the specified type, and select at least one type of alert output that is to be presented upon receipt of an indication of an event of the specified type,” as described in claim 7.

In view of the above remarks, it is respectfully submitted that there is no 35 USC 112 enabling disclosure provided by Zimmerman or Letzt, alone or in combination, that makes the present invention as claimed in claim 7 unpatentable. It is further respectfully submitted that claims 14 and 21 are allowable for at least the same reasons as claim 7. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Having fully addressed the Examiner’s rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant’s representative at (609) 734-6804, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,

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